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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,442	12/17/2004	Takeshi Takeda	SAIT-4218	6841

5409 7590 06/14/2006

SCHMEISER, OLSEN & WATTS  
22 CENTURY HILL DRIVE  
SUITE 302  
LATHAM, NY 12110

EXAMINER
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TRINH, SONNY

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/518,442	TAKEDA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sonny TRINH	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-5 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 10-13 is/are rejected.
- 7) ☒ Claim(s) 7-9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because figures 3 and figure 5 are not legible.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claim 1** is rejected under 35 U.S.C. 102(e) as being anticipated by Hartman et al. (hereinafter “Hartman”; (U.S. Patent Number 6,380,852 B1).

Regarding **claim 1**, with reference to figures 1-2A, Hartman teaches an outlet tap (figure 1, element 102), which is provided with an outlet (figure 1, outlet 80) and connected with a domestic commercial power source (plug in to power source via connection 82 and 114 of figure 1) to supply electric power to an electric appliance having been connected with said outlet (such as appliance 117), characterized in that said outlet tap comprises: a power source cut-off device for interrupting said electric power source in said outlet (column 5 lines 8-34); a radio receiver means for receiving a control signal through a radio communication line; and, a control means for controlling said power source cut-off device on the basis of said control signal having been received in said radio receiver means (figures 3-6, column 7 line 52 to column 11 line 6).

3. **Claim 6** is rejected under 35 U.S.C. 102(e) as being anticipated by Berg (U.S. Patent Application Publication Number U.S. 2004/0196142 A1).

Regarding **claim 6**, with reference to figures 1-3 and descriptions, Berg teaches a power source cut-off system (abstract, paragraph [0008]) constructed of: an outlet tap

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(figure 1, outlet 22) which is connected with a domestic commercial power source (via plug 12 of figures 1-2) to supply electric power to an electrical appliance (such as computer 2 in figure 2); and, a telephone set connected in between an external telephone line and a telephone set to control said outlet tap (figure 3, telephone and transmitter), characterized in that said outlet tap comprises: an outlet with which said electrical appliance is connected (figure 2); a power source cut-off device for interrupting said power source at said outlet (paragraph [0008]); a receiver means for receiving a radio signal issued from said power source cut-off device (paragraph [0008]); and, a control means for controlling said power source cut-off device on the basis of said radio signal having been received in said receiver means (paragraph [0008]), and characterized in that said power source cut-off device comprises: a control signal receiver means for receiving a control signal having been transmitted through said external telephone line; and, a transmitter means for transmitting said radio signal to said outlet tap on the basis of said control signal receiver means (figure 3, paragraphs [0008] – [0012]).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman in view of Dungan (U.S. Patent Number 6,794,991).

Regarding **claim 2**, Hartman discloses the invention but does not disclose that said outlet tap further comprises: a result signal generator means for generating a result signal representing the result of power source cut-off performance of the power source of said electrical appliance.

In an analogous art, Dungan discloses a monitoring system for monitoring the status of different individual station and report it to the master station (see summary of the invention and claims 40, 50).

Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the reporting features of Dungan to the system of Hartman, The motivation for incorporating would be to provide the added comfort of to the user by providing feedback to let him know that the appliance has been turned off (disconnected) from the power source just as he wanted.

5. **Claims 10-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman in view of Feuerstein et al. (hereinafter "Feuerstein"; U.S. Patent Number 5,978,457)

Regarding **claim 10**, with reference to figure 1 and description, Hartman discloses a power source cut-off system serving as a remote control system for remotely controlling an outlet tap (figure 1, outlet tap 80), wherein said outlet tap is an object to be controlled by means of an external communication instrument through a telephone line (figure 1, telephone 104, columns 5-6). However, Hartman does not

disclose that the power source cut-off system comprises a call center which is connected with said telephone line, corresponds a telephone subscriber and manages the data of said subscriber, wherein said subscriber's data includes a subscriber's telephone number in his or her house; and, a power source cut-off device for catching a phone call issued from said call center through said telephone line to perform the control of a power source cut-off operation.

In an analogous art, Feuerstein discloses an alarm communication method and device (abstract, see summary of the invention). Feuerstein further discloses a call center (figure 2, call center 204) which is connected with said telephone line (figure 2), corresponds a telephone subscriber and manages the data of said subscriber (inherent), wherein said subscriber's data includes a subscriber's telephone number in his or her house; and, a power source cut-off device for catching a phone call issued from said call center through said telephone line to perform the control of a power source cut-off operation (figure 4, column 5 line 28 to line 43 of column 7).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to incorporate the call center, as taught by Feuerstein, to the system of Hartman. The motivation for incorporating the two systems is to allow the call center (alarm monitoring company) to control the appliances for the subscriber while he/she is on vacation or not available when something goes wrong.

Regarding **claim 11**, the combination of Hartman and Feuerstein discloses the power source cut-off using a call center as specified in claim 10 and as discussed above, Feuerstein further discloses that the customer's data such as telephone number

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are stored in the database server of a call center (column 2 line 39 to column 3 line 48), and issuing a phone call to said house of said subscriber on behalf of said subscriber through a telephone line on the basis of the contents of said data of said subscriber having been stored; and, performing the control of a power source cut-off operation on the basis of the telephone number of said telephone set which has received said phone call in the previous step of issuing said phone call (see flow charts figures 3-4 and column 4 line 57 to column 6 line 21).

Regarding **claim 12**, Feuerstein further discloses that a plurality of the data of subscribers are provided in said database server; and, in said step of storing and recognizing, the data of one of said subscribers who has made a phone call is searched to make a return call to said one of said subscribers ("matching caller ID" column 3 lines 7-48).

Regarding **claim 13**, it is obvious that only telephone number capable of initiating said power source cut-off operation is limited to those having been registered in said call center. The motivation is the permission (you would not want just anybody to control your appliances without your permission).

***Allowable Subject Matter***

6. **Claims 3-5** are allowed.

The following is an examiner's statement of reasons for allowance:



The present invention relates to an outlet tap, a power source cut-off system and a power source cut-off method, and more particularly to an outlet tap, a power source cut-off system and a power source cut-off method, which enables a user to shut down the power supply of his or her electrical appliance through a telephone line even when the user is out of his or her house.

Independent claim 3 identifies the uniquely distinct features of " a power source cut-off system constructed of: an outlet tap which is connected with a domestic commercial power source to supply electric power to an electrical appliance; and, a telephone set connected with an external telephone line to control said outlet tap, characterized in that said outlet tap comprises: an outlet with which said electrical appliance is connected; a power source cut-off device for interrupting said power source at said outlet; a receiver means for receiving a radio signal issued from said telephone set; and, a control means for controlling said power source cut-off device on the basis of said radio signal having been received in said receiver means, and characterized in that said telephone set comprises: a control signal receiver means for receiving a control signal having been transmitted through said external telephone line; and, a transmitter means for transmitting said radio signal to said outlet tap on the basis of said control signal receiver means".

The closest prior art, Hartman and Berg (U.S. Patent Application Publication Number U.S. 2004/0196142 A1) disclose conventional remote disconnect system, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

7. **Claims 7-9** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding **claim 7**, the applied references fail to disclose or render obvious the claimed limitations, specifically wherein the outlet tap comprises: a signal generator means for showing the result in power source cut-off operation of said electrical appliance conducted at said outlet; and, a transmitter means for radio transmitting a radio signal representing said result in power source cut-off operation to said power source cut-off device, said radio signal representing said result in power source cut-off operation being prepared in said signal generator means, wherein said power source cut-off device further comprises a receiver means for receiving said radio signal issued from said transmitter means of said outlet tap.

Regarding **claim 8**, the applied references fail to disclose or render obvious the claimed limitations, specifically wherein said power source cut-off device further comprises: a voice guide choosing means for choosing a voice guide in report of the result in analysis of the result of said power source out-off operation on the basis of said radio signal having been received in said receiver means, said power source cut-off operation being conducted in said outlet of said outlet tap; and, a playback means for reproducing said voice guide, wherein said voice guide reports said result to a user having been selected by said voice guide choosing means.

Regarding **claim 9**, the applied references fail to disclose or render obvious the claimed limitations, specifically wherein said power source cut-off device comprises: a phone-call reply means for replying a phone call; a confirmation means for confirming whether or not said phone call contains a preset power source cut-off number in reply to said phone call; and, a power source cut-off operation carrying out means for carrying out said power source cut-off operation on the basis of said phone call in the case where said phone call contains said preset power source cut-off number which is confirmed by said confirmation means.

### **CONCLUSION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sonny TRINH whose telephone number is 571-272-7927. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward URBAN can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

5/30/06

  
**SONNY TRINH**  
**PRIMARY EXAMINER**